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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/240,588	02/01/1999	MICHAEL L. GRANDCOLAS	CITI0035-CON	7521

27510 7590 06/27/2003
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EXAMINER

ELISCA, PIERRE E

ART UNIT	PAPER NUMBER
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3621

DATE MAILED: 06/27/2003

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**BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES**

Paper No. 27

Application Number: 09/240,588
Filing Date: February 01, 1999
Appellant(s): Michael Grandcolas et al.

George T. Marcou
For Appellant

EXAMINER'S ANSWER

This is in response to appellant's brief on appeal filed 10/21/2002.

(1) *Real Party in Interest*

A statement identifying the real party in interest is contained in the brief.

(2) *Related Appeals and Interferences*

Art Unit:

A statement identifying the related appeals and interferences which will directly affect or be directly affected by or have a bearing on the decision in the pending appeal is contained in the brief.

(3) *Status of Claims*

The statement of the status of the claims contained in the brief is correct.

(4) *Status of Amendments After Final*

No amendment after final has been filed.

(5) *Summary of Invention*

The summary of invention contained in the brief is correct.

(6) *Issues*

The appellant's statement of the issues in the brief is correct.

(7) *Grouping of Claims*

Appellant's brief includes a statement that claims 14-27 do not stand or fall together and provides reasons as set forth in 37 CFR 1.192(c)(7) and (c)(8).

(8) *Claims Appealed*

The copy of the appealed claims contained in the Appendix to the brief is correct.

(9) *Prior Art of Record*

The following is a listing of the prior art of record relied upon in the rejection of claims under appeal.

Art Unit:

6,072,870
(10) Grounds of Rejection

Nguyen et al.

6/2000

The following ground(s) of rejection are applicable to the appealed claims:

Claims 14-27 are rejected under 35 U.S.C. 102 (e). This rejection is set forth in prior Office action, paper No. 17.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless --

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371© of this title before the invention thereof by the applicant for patent.

Claims 22-27 are rejected under 35 U.S.C. 102 (e) as being anticipated by Nguyen et al. (U.S. Pat. No. 6,072,870).

As per claims 14, 16, and 17, Nguyen discloses a secure transmission of data between a plurality of computer over a public communication system, such as the internet (which is equivalent to Applicant's claimed invention wherein it is stated that a method of interfacing a plurality of different access devices to either a legacy application or a canonical application) see., abstract, comprising:

Art Unit:

parsing a data stream from the desired application if the desired application is a legacy application (see., abstract, lines 1-4);

creating a token representation of the data stream from the desired application, regardless if the application is a legacy application or a canonical application (see., abstract, lines 1-4, col 18, lines 48-65, fig 7F); and

forwarding the token representation to one of the plurality of access devices (see., col 18, lines 48-67, col 19, lines 1-67, fig 7F).

As per claim 15, Nguyen discloses the step of displaying the data stream on the one access device (see., col 3, lines 46-56).

As per claim 18, Nguyen discloses the step of accessing the one device is a screen phone (see., col 4, lines 1-4).

Claim 19-21 are system claims that contain the same limitations as claim 14, therefore are rejected by the same rationale.

As per claims 22-27, Nguyen discloses a secure transmission of data between a plurality of computer over a public communication system, such as the Internet, comprising:
producing a data stream from the software application (see., abstract, lines 1-14);

Art Unit:

providing a token representation of the data stream from the software application (see., abstract, lines 1-4, col 18, lines 48-65, fig 7F); and

forwarding the token representation to the access device (see., col 18, lines 48-67, col 19, lines 1-67, fig 7F). Nguyen also discloses the step of identifying the data stream as a legacy in the abstract, specifically wherein it is stated that the host legacy system evaluates the payment information and returns a level of authorization of credit to the gateway which packages the information to form a secure transaction which transmitted to the merchant, please note that the process of authorizing credit is readable as the process of identifying data stream.

(11) Response to Argument

In response to claims 14-21, Applicant argues that the prior art of record taken alone or in combination does not teach or suggest: “creating a token representation of the data stream from the desired application”.

a. As stated in the Office action mailed on 4/23/2001, this limitation is disclosed by Nguyen in col 18, lines 48-67, specifically wherein it is stated payment gateway computer system generates a random capture token. Random capture token is utilized in subsequent payment capture processing to associate the payment capture request with the payment authorization request being processed, please note that the process of utilizing or generating token by the computer system in subsequent payment capture is readable as the process of creating a token representation of the data.

Art Unit:

b. "A first token representation and a second token representation of the data". However, the Examiner respectfully disagrees because Nguyen discloses in col 18, lines 48-67, col 19, lines 1-67, specifically wherein it is stated that function block 660, payment gateway computer system 140 generates a random capture token 770 (or first random capture token), and function block 665, payment gateway computer system 140 generates a second random encryption key or capture token (or second token representation).

For the above reasons, it is believed that the rejections should be sustained.


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June 18, 2003

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Respectfully submitted,

Sma

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